

SUBCHAPTER E : AGGREGATE AND PAVEMENT

§106.141. Batch Mixers (Previously SE 25).

Batch mixers with rated capacity of five cubic feet or less for mixing cement, sand, aggregate, additives, and/or water or similar materials are exempt.

Adopted February 19, 1997

Effective March 14, 1997

§106.142. Rock Crushers (Previously SE 73).

Any rock crusher with a maximum rated capacity of 200 tons per hour or less that operates according to the following conditions of this section is exempt:

- (1) operating schedule of the plant does not exceed 1,600 hours per year;
- (2) all in-plant haul roads and stockpiles are sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions;
- (3) water sprays are located at all belt transfer points, shaker screens, and inlet and outlet of all crushers and used as necessary to achieve maximum control of dust emissions;
- (4) the plant is located at least 1/2 mile from any recreational area or residence or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located;
- (5) the plant is located at least 1,000 feet from any state or federal highway not currently under maintenance or construction;
- (6) before construction of the facility begins, written site approval is received from the executive director and the facility shall be registered with the commission using Form PI-7, including a current Table 17.

Adopted February 19, 1997

Effective March 14, 1997

§106.143. Wet Sand and Gravel Production (Previously SE 77).

Any wet sand and gravel production facility that obtains its material from subterranean and subaqueous beds where the deposits of sand and gravel are consolidated granular materials resulting from

natural disintegration of rock and stone and whose production rate is 500 tons per hour or less is exempt. All permanent in-plant roads shall be paved and cleaned as necessary or watered as necessary to achieve maximum control of dust emissions.

Adopted February 19, 1997

Effective March 14, 1997

§106.144. Bulk Mineral Handling (Previously SE 91).

All bulk mineral product (except asbestos) handling facilities that operate in compliance with the following conditions of this section are exempt.

(1) All material shall be transported in a closed conveying system and all exhaust air to the atmosphere shall be vented through a fabric filter having a maximum filtering velocity of 4.0 feet per minute (ft/min) with mechanical cleaning or 7.0 ft/min with automatic air cleaning.

(2) All permanent in-plant roads and vehicle work areas shall be watered, treated with dust-suppressant chemicals, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.

(3) The facility (including associated stationary equipment and stockpiles) shall be located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the property upon which the facility is located.

(4) Before construction begins, written site approval must be received from the executive director and the facility shall be registered with the commission's Office of Air Quality in Austin using Form PI-7.

Adopted February 19, 1997

Effective March 14, 1997

§106.145. Bulk Sand Handling (Previously SE 92).

All oil well servicing bulk sand handling facilities that operate according to the following conditions of this section are exempt.

(1) All sand shall be prewashed.

(2) All handling of sand shall be mechanical or, if conveyed pneumatically, the conveying air shall be vented to the atmosphere through a fabric filter(s) having a maximum filtering velocity of 4.0 feet per minute (ft/min) with mechanical cleaning or 7.0 ft/min with air cleaning.

(3) All permanent in-plant roads and vehicle work areas shall be watered, treated with dust-suppressant chemicals, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.

(4) The facility (including associated stationary equipment and stockpiles) shall be located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the property upon which the facility is located.

(5) Before construction begins, the owner or operator shall file with the commission's Office of Air Quality in Austin a completed Form PI-7 and supporting documentation demonstrating that all of the requirements of the exemption will be met.

Adopted February 19, 1997

Effective March 14, 1997

§106.146. Soil Stabilization Plants (Previously SE 94).

Any soil stabilization facility that operates according to the following conditions of this section is exempt.

(1) All bulk storage silos shall be equipped with fabric filter(s) having a maximum filtering velocity of 4.0 feet per minute (ft/min) with mechanical cleaning or 7.0 ft/min with automatic air cleaning.

(2) All conveyor belts transferring dry material to the pug mill shall be top covered.

(3) The pug mill used to mix the materials shall be covered.

(4) All permanent in-plant roads and vehicle work areas shall be watered, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.

(5) An audible and/or visible mechanism shall be installed on the storage silo(s) to notify operators that the silo is full.

(6) All stockpiles shall be sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions.

(7) When emulsified asphalt is used as the stabilizing admixture, the emulsified asphalt shall be stored in a container used exclusively for emulsified asphalt storage. Transfer of emulsified asphalt from the storage tank to the pug mill shall be accomplished by means of a pump and metering device.

(8) Before construction of the facility begins, written site approval shall be received from the executive director and the facility shall be registered with the commission's Office of Air Quality in Austin using Form PI-7.

(9) The facility shall be located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located. This distance limitation does not apply to structures within the boundaries of the project for which the facility is to process stabilized soil when the facility is located on or contiguous to the project.

Adopted February 19, 1997

Effective March 14, 1997

§106.147. Asphalt Concrete Plants (Previously SE 99).

Any asphalt concrete facility that complies with 40 Code of Federal Regulations Part 60, Subparts A and I and operates according to the following conditions of this section is exempt.

(1) A New Source Performance Standard pretest meeting concerning the required stack sampling shall be held with commission personnel before the required tests are performed. Air contaminants to be tested for will be determined at the pretest meeting. Stack sampling requirements will not be required by the executive director, provided that:

(A) the applicant submits adequate documentation (including copies of previous test results of the model hot mix plant proposed, including a description of the aggregate materials used in previous tests) demonstrating compliance with the 0.04 grain per dry standard cubic feet allowable;

(B) visible emissions from the exhaust stack are documented at 5.0% or less opacity averaged over six consecutive minutes.

(2) Fuel for dryers shall be sweet natural gas as defined in Chapter 101 of this title (relating to General Rules) or liquid petroleum gas, diesel, or fuel oil with a maximum sulfur content of 1.5%.

(3) All aggregate stockpiles shall be sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions.

(4) All permanent in-plant roads shall be watered, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.

(5) The plant is located at least ½ mile from any recreational area or residence or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located.

(6) Before construction of the facility begins, written site approval shall be received from the executive director and the facility shall be registered with the commission's Office of Air Quality in Austin using Form PI-7, including a current Table 22.

(7) Emissions of particulate matter, sulfur dioxide, or organic compounds shall not exceed 25 tons per year each.

Adopted February 19, 1997

Effective March 14, 1997

§106.148. Material Unloading (Previously SE 112).

Railcar or truck unloading of wet sand, gravel, aggregate, coal, lignite, and scrap iron or scrap steel (but not including metal ores, metal oxides, battery parts, or fine dry materials) into trucks or other railcars for transportation to other locations is exempt, provided the following conditions of this section are met.

- (1) Bulk materials shall not be stored on-site.
- (2) Water sprays or the equivalent must be installed and used as necessary at material handling operations to achieve maximum control of dust emissions.
- (3) All permanent in-plant roads and vehicle work areas shall be watered, treated with dust-suppressant chemicals, oiled, or paved and cleaned as necessary to achieve maximum control of dust emissions.

Adopted February 19, 1997

Effective March 14, 1997

§106.149. Sand and Gravel Processing (Previously SE 114).

Any sand and gravel production facility that obtains its material from deposits of sand and gravel consisting of natural disintegration of rock and stone is exempt, provided that the following conditions of this section are satisfied:

- (1) crushing or breaking operations are not used;
- (2) no blasting is conducted to obtain the material;
- (3) water sprays are installed on the plant at all screens and transfer points and used as necessary to achieve maximum control of dust emissions;
- (4) the area where the sand and gravel is obtained shall be sprinkled with water as necessary to achieve maximum control of dust emissions before the material is removed and transported for processing;
- (5) all in-plant roads shall be paved and cleaned or sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions;
- (6) the plant is located at least 1/4 mile from any recreational area or residence or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located;
- (7) the production rate is 50 tons per hour or less.

Adopted February 19, 1997

Effective March 14, 1997

§106.150. Asphalt Silos (Previously SE 122).

Any silo used to store hot mix asphalt or asphalt emulsion concrete mixtures which meets the following conditions of this section is exempt:

- (1) no cutback asphalt mixtures are stored;
- (2) for silos on location for more than six months, all truck traffic areas are paved and cleaned as necessary to achieve maximum control of dust emissions and for those silos on location for six months or less, the truck traffic areas are sprinkled with water and/or chemicals as necessary to achieve maximum control of dust emissions;
- (3) fuel used for heating the silo is sweet natural gas as defined in Chapter 101 of this title (relating to General Rules) or liquid petroleum gas or first run refinery grade diesel or Number 2 fuel oil that is not a blend containing waste oils or solvents and that contains less than 0.5% by weight sulfur;
- (4) the silo(s) is located at least 300 feet from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the property upon which the silo(s) is located;
- (5) before construction begins, written site approval is received from the executive director and the facility is registered with the commission's Office of Air Quality in Austin using Form PI-7.

Adopted February 19, 1997

Effective March 14, 1997